

REMARKS

Status of Claims:

Claims 1-33, 35, 38, 42, 45, 49, and 52 remain cancelled. Claims 55 and 56 remain withdrawn.

Thus, claims 34, 36, 37, 39-41, 43, 44, 46-48, 50, 51, and 53-56 are pending in the application and, of those claims, claims 55 and 56 remain withdrawn.

Claim Rejections:

Claims 34, 36-37, 39-41, 43-44, 46-48, 50-51, and 53-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura (U.S. Patent No. 5,987,424) in view of Kenney (U.S. Patent No. 5,515,424) and further in view of Gupta (U.S. Patent No. 5,206,899).

With respect to claims 34, 36-37, 39-41, 43-44, 46-48, 50-51, and 53-54, the rejection is respectfully traversed.

Independent claim 34 recites a portable communication terminal, comprising:

“a registration request means for issuing an immediate registration request to immediately register for advertisement information broadcast from an advertisement information broadcast server according to operation of the portable communication terminal;

a receiving means for receiving advertisement information which is broadcast from said advertisement information broadcast server based on said registration request;

a display means for displaying said advertisement information received by said receiving means; and

a registration cancellation means for issuing an immediate cancellation to immediately cancel registration of the portable communication terminal for the advertisement information broadcast from said advertisement information broadcast server according to operation of the portable communication terminal;

wherein said display means automatically displays said advertisement information on a standby screen from the issuance of the immediate registration request by said registration request means to the issuance of the immediate cancellation by said registration cancellation means, when the portable communication terminal is in a standby state.” (Emphasis Added).

The Office Action recognizes that “Nakamura doesn’t teach immediately register and immediately canceling registration of the portable terminal.” (Office Action, page 4) (Emphasis Added). The Office Action then asserts that Gupta teaches the features of immediately registering and immediately canceling registration. (Office Action, page 4).

Gupta, however, merely discloses a call connection in a telephone network including a mobile terminal. In contrast, embodiments of the present invention disclose a procedure for accepting registration and cancellation of a given operation at an arbitrary timing on a terminal user side. The given operation is to automatically display, on a standby screen of the terminal, advertisement information broadcast from an advertisement distribution system, which may be located on the Internet. Gupta’s service is associated with call connections, but the above features of the present invention are irrelevant to the call connections. A person of ordinary skill in the art would not anticipate the above features of the present invention from Gupta’s disclosure.

In the Examiner Interview Summary Record of November 23, 2010, the Examiner requested the claims be amended to include the features of the registration and cancellation being performed “on the spot” when there is a registration request or cancellation request. The “on the spot” corresponds to “immediately” in “immediately register” and “immediately cancel registration” in the claim. Such features are not disclosed or suggested by Gupta.

The Office Action points to the Kenney reference and asserts that Kenney teaches to automatically display advertisement information on a standby screen. (Office Action, page 3). However, Kenney merely proposes an invention associated with a local telephone station. The concept of “standby screen” itself does not exist in Kenney. Accordingly, the

“informational screens” of Kenney do not correspond to a “standby screen” as recited in claim 34.

Gupta does not teach “on the spot” and Kenney does not teach a “standby screen” as has been explained above. A person of ordinary skill in the art would not combine the cited references as suggested by the Office Action. Judging from this viewpoint, the assertion of the Examiner is hindsight reasoning upon referring to Applicant’s disclosure of the present invention.

Therefore, independent claim 34 is neither disclosed nor suggested by the Nakamura, Kenney, and Gupta references, alone or in combination, and, hence, is believed to be allowable. The Patent Office has not made out a *prima facie* case of obviousness under 35 U.S.C. 103.

Independent claim 41 is believed to be allowable for similar reasons as the reasons discussed above with respect to claim 34. Also, independent claim 48 is believed to be allowable for similar reasons as the reasons discussed above with respect to claim 34.

The dependent claims are deemed allowable for at least the same reasons indicated above with regard to the independent claims from which they depend.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected

or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date: September 9, 2011

By: /Justin Mark Sobaje/

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 945-6014
Facsimile: (202) 672-5399

George C. Beck
Attorney for Applicant
Registration No. 38,072

Justin Mark Sobaje
Attorney for Applicant
Registration No. 56,252